

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:13-cr-334-JCM-CWH
)	
Plaintiff,)	
)	ORDER
v.)	
)	
ANTON PAUL DRAGO,)	
)	
Defendant.)	
_____)	

Presently before the court is the matter of the *United States of America v. Anton Paul Drago*, case no. 2:13-cr-00334-JCM-CWH. The parties filed a stipulation to continue calendar call and the trial date (doc. # 97), which are currently set for December 30, 2015, and January 4, 2016, respectively.

This is the parties' tenth request to continue trial dates in this matter. Most recently, on October 30, 2015, the court vacated a November 2, 2015, trial date based upon defendant's emergency motion to continue in order to substitute new counsel. (Doc. # 91). The parties now stipulate to a tenth continuance. First, the parties indicate that because of the complex nature of the fraud charges against defendant, defense counsel needs additional time to prepare for trial. Second, the government indicates that it is experiencing difficulty in planning accommodations for its almost twenty witnesses from outside the district "based on rates and occupancy during the surrounding holiday period in Las Vegas."

The court notes that counsel for both parties has been on notice of the current trial date since October 30, 2015—well over a month. Now, less than one month from trial, the parties are raising issues that could have been raised as early as November 1, 2015. If three weeks is insufficient preparation time for defense counsel today, he should have known in early November that two months was not sufficient then. Similarly, the busy tourist holiday season in Las Vegas is a highly predictable occurrence. The government could have notified the court of that issue immediately after the current trial date was set, instead of a few weeks before the scheduled date.

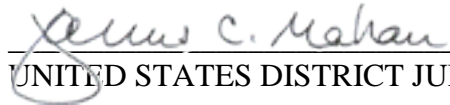
1 This case has been pending for over two years. Trial dates have been continued nine times
2 already. Counsel for both parties received adequate notice of the current trial date to prepare their
3 case and make plans for their witnesses.

4 Having considered the factors set forth in 18 U.S.C. 3161(h)(7)(B)(i)–(iv), the court finds
5 that the best interest of the public and the defendant in a speedy trial outweighs any ends of justice
6 that might be served by granting the instant continuance.

7 Accordingly,

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Anton Paul
9 Drago and the United States of America's stipulation to continue calendar call and the trial date
(doc. # 97) be, and the same hereby is, DENIED.

10 DATED December 11, 2015.

11 
UNITED STATES DISTRICT JUDGE